



## PLANNING & ZONING REPORT

### Zoning Board of Appeals Meeting of May 17, 2022

**File # 013-22**

**APPLICANT:** Lamar Advertising

**LOCATION:** 3710 11<sup>th</sup> Street

**REQUESTED ACTION:** A Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in an I-3, Airport Industrial Zoning District.

**EXISTING USE:** Vacant lot with billboards and a billboard structure

**PROPOSED USE:** Vacant lot with electronic graphic display billboard and billboard structure

**DIMENSIONS:** Irregular shape      **SQUARE FOOTAGE:** 3.62 acres

#### ADJACENT ZONING AND LAND USES:

NORTH:	R-1 & I-1	Vacant land, Single-family Residences
EAST:	R-1	Single-family Residences
SOUTH:	I-3	Interstate Power Systems, Meiborg Trucking
WEST:	I-3	Cloverleaf interchange, Greenlee Tool

**YEAR 2020 PLAN:** IL-C      Light Industrial-Commercial Retail

**SOILS REPORT:** None on file

**HISTORY:** **File #003-21:** A Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in a C-2, Limited Commercial Zoning District was dismissed by the Zoning Board of Appeals on January 19, 2022 for the property located at 111 South Perryville Road. This is a two-faced sign.

**File #002-11:** A Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in a C-3, General Commercial Zoning District was granted May 9, 2011 for the property located at 1311 South Alpine Road. This is a two-faced sign.

**File #009-08:** A Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in a C-2, Commercial Community Zoning District was granted April 21, 2008 for the property located at 5411 East State Street. This is a two-faced sign with one-face being an electronic graphic display billboard.

**File #010-08:** A Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in a C-2, Commercial Community Zoning District was granted April 21, 2008 for the

property located at 8539 East State Street. This is a two-faced sign with one-face being an electronic graphic display billboard.

**File #011-08:** A Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in a C-2, Commercial Community Zoning District was granted April 21, 2008 for the property located at 6439 East Riverside Boulevard. This use was never established.

**REVIEW COMMENTS:** The Applicant is requesting a Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in an I-3, Airport Industrial Zoning District. Exhibit A shows that the subject property is located on the southeast corner of 11<sup>th</sup> Street and the Hwy 20 East On-ramp. Commercial and residential uses surround the subject property (Exhibits B and C).

The Applicant, Lamar Advertising, has many billboards throughout the community and currently has two (2) electronic graphic display billboards on East State Street and two (2) on South Alpine Road.

The existing billboard is legally nonconforming to the Zoning Ordinance and may continue in use as specified in Article 51-009-C of the Ordinance. When the structure or size of the billboard is altered in any way, the alterations must be made toward compliance with this Ordinance. The sign regulations 51-008-J (adopted in 2008) allow the modification of an existing non-conforming billboard to an electronic graphic display billboard by means of a Special Use Permit.

It is the Applicant's desire to upgrade the existing legally nonconforming billboard to an electronic graphic display billboard. This is not allowed unless the applicant applies for a Special Use Permit and the City Council finds that the Findings of Fact in Section 63-005 have been satisfied, and the location, size, and design of the proposed billboard will not have a detrimental effect on the privacy, use, light or enjoyment of any nearby properties.

The Applicant submitted Exhibit D a picture that shows the subject property and the location of the double-sided billboard. However, the Applicant did not submit a rendering of the proposed electronic graphic display billboard. The existing billboard is 14 feet by 48 feet or 672 square feet. The modification of the billboard if approved will require landscaping as stated in the Zoning Ordinance, "the base of all freestanding signs greater than one hundred (100) square feet and greater than fifteen (15) feet in height shall be landscaped with evergreen and deciduous shrubs as follows: square footage of sign face times 0.75 equals Landscape Units. These Landscape Units are in addition to other landscaping requirements.

Exhibit E is a Letter submitted by the Applicant, which gives details on the proposed modification of three (3) existing off-premise static signs to electronic. The Applicant states, "Bypass 20 and 11<sup>th</sup> Street we are asking to convert an existing double sided 14' x 48' static off-premise sign to a double-sided 14' x 48' off-premise electronic sign" (Exhibit E).

The first Special Use Permits that were approved for the modification of an existing legally nonconforming billboard to an electronic graphic display

billboard required the removal of existing billboards. Many of those billboards that were required to be removed have been removed. The first Special Use Permits that were approved would have allowed up to three (3) billboards at different locations; however, only two (2) billboards were established. Additionally, a Special Use Permit was approved in 2011 for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard, requiring the removal of certain existing billboards within the City. All billboards that were required to be removed as a condition of approval for that Special Use Permit have been removed. This approval was for both sides (See File History #002-11).

The proposed conversion of these two sign faces from static to electronic would bring the number of electronic display billboards to six. Staff feels the Applicant's proposed request is reasonable and recommends approval of the Applicant's request subject to the conditions.

**RECOMMENDATION:** Staff recommends **APPROVAL** of a Special Use Permit for the modification of an existing legally nonconforming billboard to an electronic graphic display billboard in an I-3, Airport Industrial Zoning District, subject to the following conditions:

1. Meet all Building and Fire Codes
2. The electronic graphic display board shall be for both the Western facing board and the Eastern facing board.
3. Submittal of Building Permit for Staff review and approval.
4. The billboard shall remain a non-conforming billboard.
5. The billboard shall operate in conformance with the sign regulations for electronic graphic display signs.
6. Submittal of a detailed landscape plan to include the type of species to be planted in accordance with the required landscaping for a free-standing sign for Staff's review and approval.
7. All conditions must be met prior to the establishment of use.

See attached findings of fact.

SC: DM 05/9/2022

**FINDINGS OF FACT FOR APPROVAL OF A SPECIAL USE PERMIT**  
**FOR THE MODIFICATION OF AN EXISTING LEGALLY NONCONFORMING BILLBOARD**  
**TO AN ELECTRONIC GRAPHIC DISPLAY BILLBOARD**  
**I-3, AIRPORT INDUSTRIAL ZONING DISTRICT**  
**LOCATED AT 3710 11<sup>TH</sup> STREET**

**Approval** of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will not substantially diminish or impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall conform to the applicable regulations of the I-3 District in which it is located.

Exhibit A  
3710 11th Street  
SUP  
#013-22

R1

WESTVIEW

R1

I1

JAMESTOWN

US HWY 20

US HWY 20

20E OFFRAMP FROM 11TH ST

20E OFFRAMP TO 11TH ST

R1

WHITMIRE

CLEARFIELD

R1

ALLENDALE

GATEWAY

907TH



Exhibit B  
3710 11th Street  
SUP  
#013-22

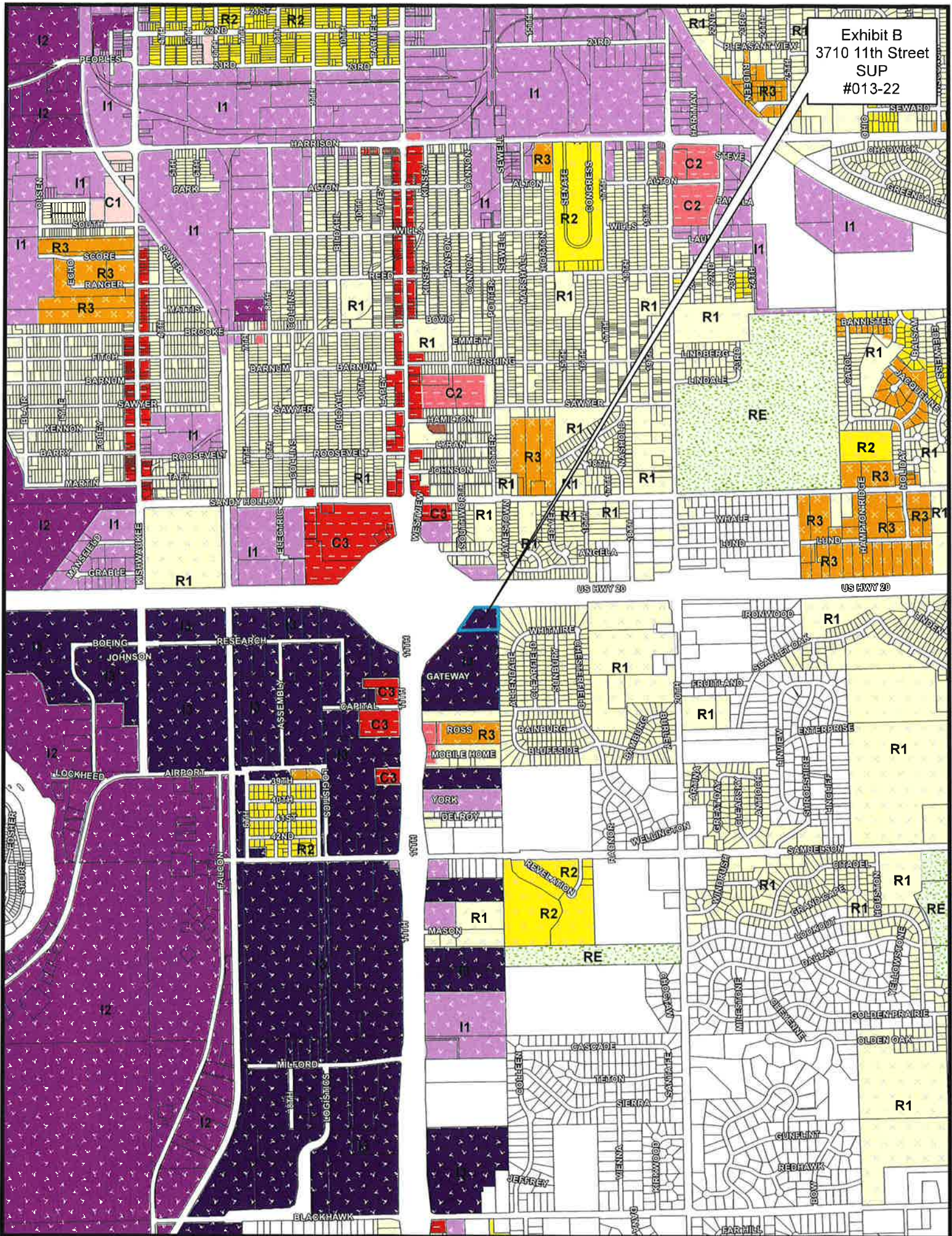




Exhibit C  
3710 11th Street  
SUP  
#013-22

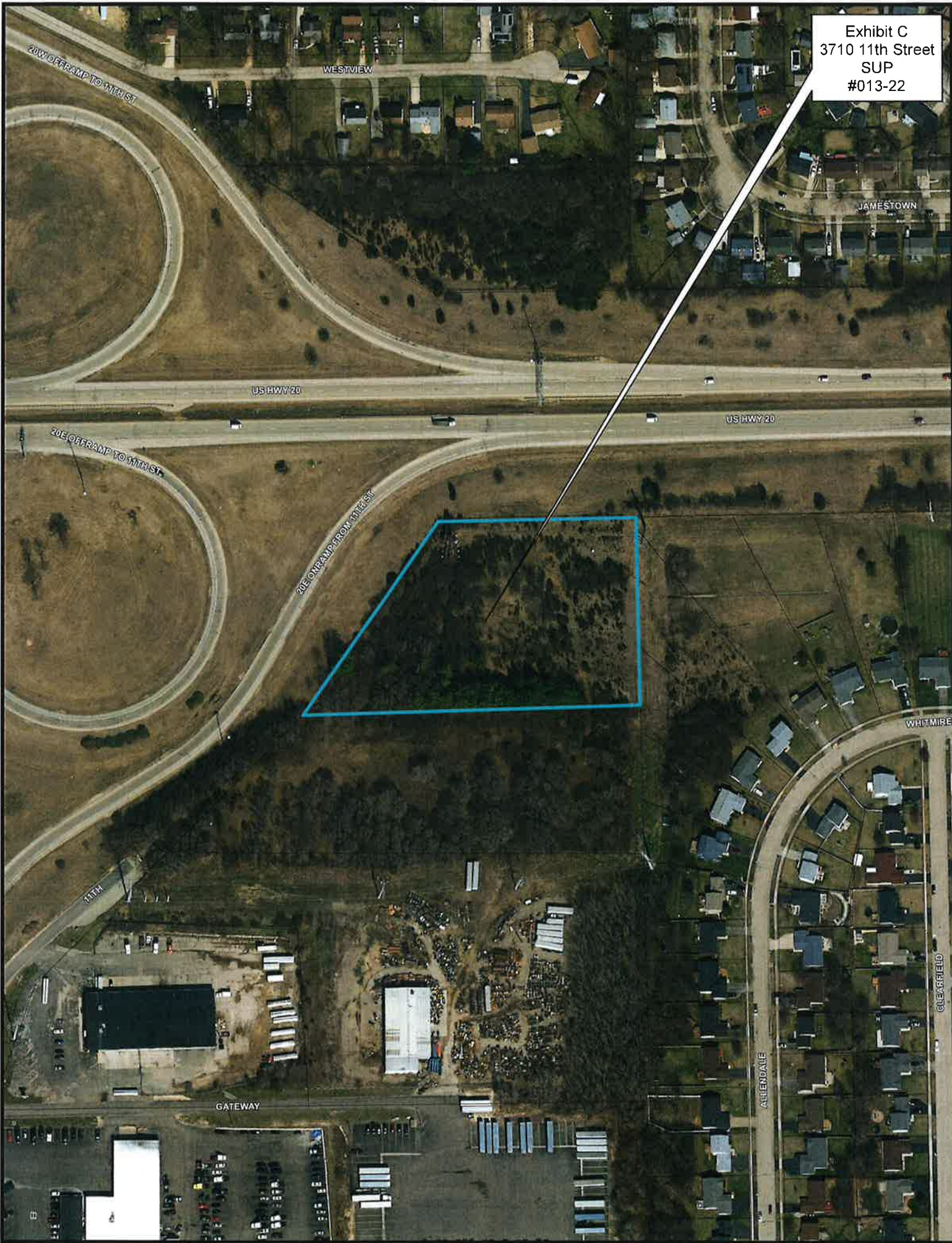




Exhibit D  
3710 11<sup>th</sup> Street  
SUP  
#013-22





**LAMAR**

**5101 Hwy 51 South  
Janesville, WI 53546**

**P: 800.362.9442  
O: 608.754.6141  
F: 608.756.1101  
W: lamar.com**

Exhibit E  
3710 11<sup>th</sup> Street  
SUP  
#013-22

April 11, 2022,

City of Rockford  
Planning & Zoning Office  
Attn: Scott Capovilla  
425 E State St  
Rockford, IL 61104

RE: Lamar Advertising 2008 Dismantles / Electronic signs

Mr. Capovilla,

Included are 3 permits to modify existing off-premise static signs to electronic.

Application #1 6625 East Riverside Blvd. we would like to substitute our previously approved permit from down the road at 6439 East Riverside Blvd.

The previous approved permit (attached) at 6439 East Riverside Blvd. was for converting an existing 14'x48' Static off-premise sign to a 14'x48' off-premise electronic sign.

The new location at 6625 East Riverside Blvd. we are asking to convert a 12'x25' static off-premise sign (300sq ft.) to a 10'x30' electronic off-premise sign (300sq ft.) a vast reduction.

Application #2, Bypass 20 and 11<sup>th</sup> Street we are asking to convert an existing double sided 14'x48' static off-premise sign to a double-sided 14'x48' off-premise electronic sign.

Application #3, 111 South Perryville Road we are asking to convert an existing double sided 14'x48' static off-premise sign to a double sided 14'x48' off-premise electronic sign.

Sincerely,



Anthony Hickey  
Real estate Manager  
Lamar Advertising  
Janesville, WI